

From: brian.pollack@milliman.com@inetgw
To: Microsoft ATR
Date: 1/15/02 1:35pm
Subject: Microsoft Settlement

Reneta B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-001

Dear Ms. Hesse:

I am writing to express an opinion to the judge of the federal trial court considering the Microsoft settlement. I have been told that I can file written comments with the United States Department of Justice by January 28, 2002, and that those comments can be sent by email.

I am concerned over a decision by Microsoft that impacts our firm. I believe it is an example of Microsoft wielding unreasonable power over 3rd-party software through the non-level playing field approach of their operating systems.

I am the Corporate Secretary of Milliman USA, Inc. We are a nationwide (and international) firm of consultants and actuaries. We started in Seattle in the 1940's, and have grown to nearly 2000 employees in over 30 offices. Computing is key to our business. We predominantly use Microsoft operating systems and office software. We use Lotus Notes for email and groupware. We chose Notes a number of years ago because of its unique capabilities. It has become integral to our business function over the years. Our consultants work long hours, both in the office and (at times) at home. Our agreement with Lotus allows our employees to have Notes on their home computers as well as on their office machine. Notes and Microsoft operating systems have always coexisted well together.

We have been made aware that Microsoft will end its support of Notes on its XP home version. They say it is a business application. It is interesting that the biggest competitor for Notes is Microsoft Outlook. Microsoft is not declaring Outlook to be a business application.

If Microsoft is successful in their strategy, and Notes does not work on the XP home version, we may need to provide our employees with an expensive upgrade to XP professional for their homes. Not only is this costly, but our employees will have to give up features of the XP home version that are aimed at the family: audio, video, etc. These are attractive features for the home.

Please relay my concern to the judge of the federal trial court. As a business, it is imperative that we at Milliman treat our customers well. Microsoft's decision appears to be directed at Lotus, but impacts us significantly. I do not believe it is in the best interest of the business community at large to have Microsoft be able to advantage itself due to it providing both operating system and application software.

Sincerely,
Brian S. Pollack
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cc: Tim Muth, Esq.

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